

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

EQUAL EMPLOYMENT OPPORTUNITY)
COMMISSION,)

Plaintiff,)

MICHAEL D. WORMACK; DONALD H.)
FRENCH; DEREK K. FRENCH,)

Plaintiffs-Intervenors,)

vs)

WILLIAMHOUSE OF PENNSYLVANIA,)
LLC, a wholly owned subsidiary of)
WILLIAMHOUSE, LLC,)

Defendant.)

2:04cv1460
Electronic Filing

Judge Cercone
Magistrate Judge Mitchell

O R D E R

AND NOW, this 31st day of January, 2006, after the plaintiff and the plaintiff-intervenors filed complaints in the above-captioned case, and after the defendant submitted a motion for summary judgment, and after a Report and Recommendation was issued by the United States Magistrate Judge, and the parties were granted ten days after being served with a copy to file written objections thereto, and upon consideration of the objections filed by the parties, as well as their responses to those objections, and after independent review of the pleadings, and the Magistrate Judge's Report and Recommendation, which is adopted as the opinion of this Court,

IT IS ORDERED that the defendant's motion for summary judgment (Docket No. 15) is granted as to all claims which are said to have occurred prior to November 1, 2000, and as to the Title VII claims asserted against it which are said to have occurred prior to September 12, 2002, and denied in all other respects, and that its alternate motion for partial summary

judgment on plaintiff-intervenor Michael Wormack's claims for damages for the period following his September 24, 2004, voluntary resignation of employment with it (Docket No. 15) is granted.



David Stewart Cercone
United States District Judge

cc: Honorable Robert C. Mitchell
United States Magistrate Judge

M. Jean Clickner, Esquire
Equal Employment Opportunity Commission
1001 Liberty Avenue
Suite 300, Liberty Center
Pittsburgh, PA 15222

Mary M. Tiernan, Esquire
Jacqueline H. McNair, Esquire
Equal Employment Opportunity Commission
Philadelphia District Office
21 South 5th Street, Suite 400
Philadelphia, PA 19106

Samuel J. Cordes, Esquire
John E. Black, III, Esquire
Ogg Cordes Murphy & Ignelzi
245 Fort Pitt Boulevard
Fourth Floor
Pittsburgh, PA 15222

Martin J. Saunders, Esquire
Steven I. Farbman, Esquire
Jackson Lewis LLP
One PPG Place
28th Floor
Pittsburgh, PA 15222